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| EXAMINER | |
|---|---|
| SIMONE, CATHERINE A | |
| **ART UNIT** | **PAPER NUMBER** |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/646,553 | GILLET ET AL. | |
| | Examiner | Art Unit | |
| | Catherine Simone | 1794 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *22 October 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *30-36 and 38-55* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *30-36 and 38-55* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

### *Repeated Rejections*

1. The 35 U.S.C. 103(a) rejection of claims 30, 31, 32 and 39 over Murayama et al. in view of Smith et al. and in view of Feret is repeated for the reasons previously set forth in the Office Action mailed 7/20/2007, Pages 4-6, Paragraph #12.

2. The 35 U.S.C. 103(a) rejection of claims 33, 34 and 36 over Murayama et al. in view of Smith et al. and in view of Feret, and further in view of Haffner et al. is repeated for the reasons previously set forth in the Office Action mailed 7/20/2007, Page 6, Paragraph #13.

3. The 35 U.S.C. 103(a) rejection of claims 35 and 38 over Murayama et al. in view of Smith et al. and in view of Feret, and further in view of Morman et al. is repeated for the reasons previously set forth in the Office Action mailed 7/20/2007, Page 7, Paragraph #14.

4. The 35 U.S.C. 103(a) rejection of claims 40, 41, 43 and 44 over Murayama et al. in view of Smith et al. and in view of Morman et al. is repeated for the reasons previously set forth in the Office Action mailed 7/20/2007, Pages 8-9, Paragraph #15.

5. The 35 U.S.C. 103(a) rejection of claims 42, 45 and 46 over Murayama et al. in view of Smith et al. and in view of Morman et al., and further in view of Haffner et al. is repeated for the reasons previously set forth in the Office Action mailed 7/20/2007, Page 10, Paragraph #16.

6. The 35 U.S.C. 103(a) rejection of claim 47 over Murayama et al. in view of Smith et al. and in view of Morman et al., and further in view of Feret is repeated for the reasons previously set forth in the Office Action mailed 7/20/2007, Pages 10-11, Paragraph #17.

7. The 35 U.S.C. 103(a) rejection of claims 48 and 49 over Murayama et al. in view of Smith et al. and in view of Morman et al., and further in view of Wu is repeated for the reasons previously set forth in the Office Action mailed 7/20/2007, Pages 11-13, Paragraph #18.

8. The 35 U.S.C. 103(a) rejection of claims 50, 51, 52 and 54 over Murayama et al. in view of Smith et al. and in view of Feret and in view of Morman et al. is repeated for the reasons previously set forth in the Office Action mailed 7/20/2007, Pages 13-15, Paragraph #19.

9. The 35 U.S.C. 103(a) rejection of claim 53 over Murayama et al. in view of Smith et al. and in view of Feret and in view of Morman et al., and further in view of Haffner et al. is repeated for the reasons previously set forth in the Office Action mailed 7/20/2007, Pages 15-16, Paragraph #20.

10. The 35 U.S.C. 103(a) rejection of claim 55 over Murayama et al. in view of Smith et al. and in view of Feret and in view of Morman et al., and further in view of Wu is repeated for the reasons previously set forth in the Office Action mailed 7/20/2007, Pages 16-17, Paragraph #21.

***Response to Arguments***

11. Applicant's arguments filed 10/22/2007 have been fully considered but they are not persuasive.

Regarding claims 30, 31, 32 and 39, Applicants argue "there is no motivation whatsoever to combine the teachings of Murayama and Smith because these documents relate to two completely different components of an adhesive bandage. Specifically, Murayama discloses a backing sheet for an adhesive bandage....In contrast to Murayama, Smith relates to absorbent laminates, and more particularly to laminates for use as the absorbent structure or absorbent

facing of products which are intended to absorb body fluids....while Murayama relates to a (water-proof but still moisture-permeable) backing sheet of an adhesive bandage, Smith relates to an absorbent structure which may, *inter alia*, be used in a bandage. Accordingly, there is no reason for one of ordinary skill in the art who want to improve the backing sheet of Murayama to consider Smith".

This is not deemed persuasive. In response to applicant's argument that there is no suggestion to combine the Murayama and Smith references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Murayama clearly teaches the structure of the elastic laminate presently claimed in independent claim 30. Specifically, Murayama teaches an elastic laminate comprising a first layer of an elastic polymer film and a second layer of an elastic textile sheet, built from elastic fibers, and the second layer carries a self-adhesive coating on a side which is opposite to a side which faces the first layer (see col. 8, lines 1-9 and lines 30-34). Smith was merely cited to teach a polymer film/textile laminate wherein the textile sheet and the polymer film are macroembossed. It is to be pointed out that both Murayama and Smith teach polymer film/textile sheet laminates for use in bandages. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the polymer film/textile sheet of the bandage in Murayama to have both the polymer film and textile sheet macroembossed as suggested by Smith in order to provide a

stronger bond between the polymer film and the textile sheet and provide a continuous pattern of embossing on the laminate. One of ordinary skill in the art would clearly have been able to combine the teachings of Murayama and Smith, since both teach polymer film/textile sheet laminates for use in bandages.

Applicants then argue "there is no basis for combining Murayama and Feret...Murayama relates to a laminate which is used as a backing sheet for an adhesive bandage...Feret relates to medical dressing comprising an embossed, thin polymeric film coated on one side with a medical grade, pressure sensitive adhesive...while the film of Murayama merely serves to make a non-woven fabric (which is to contact the skin) water-proof, Feret relates to an (adhesive coated) stand-alone film, i.e., a film which as such is to contact and protect the skin....the film of Feret is not primarily intended for use as a backing sheet of an adhesive bandage, but is to serve as a thin film dressing which is especially resistant to being unintentionally removed by frictional forces normally encountered in work or athletic activities and for the prevention and treatment of skin friction blisters, respectively".

This is not deemed persuasive. In response to applicant's argument that there is no suggestion to combine the Murayama and Feret references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Murayama clearly teaches the structure of the elastic laminate presently claimed in independent claim 30.

Specifically, Murayama teaches an elastic laminate comprising a first layer of an elastic polymer film and a second layer of an elastic textile sheet, built from elastic fibers, and the second layer carries a self-adhesive coating on a side which is opposite to a side which faces the first layer (see col. 8, lines 1-9 and lines 30-34). Feret was merely cited to teach a dressing (bandage) wherein the polymer film is microembossed to give the visual appearance of a plain woven taffeta fabric (col. 3, lines 16-17). It is to be pointed out that both Murayama and Feret teach adhesive bandages. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the polymer film of the bandage in Murayama to be microembossed as suggested by Feret in order to give the bandage a visual appearance of a plain woven taffeta fabric. One of ordinary skill in the art would clearly have been able to combine the teachings of Murayama and Feret, since both teach adhesive bandages.

Applicants further argue "they could not find in Feret any mentioning of a "visual appearance of a plain woven taffeta fabric".

As pointed out above, Feret teaches a microembossed polymeric film providing a visual appearance of a plain woven taffeta fabric (see col. 3, lines 16-17).

Regarding claim 36, Applicants argue "Haffner refers to the breathable intermediate layer 16 of the breathable barrier laminate 10, i.e., not to the outer base layer 12 thereof....in this regard, it is pointed out that Haffner does not appear to teach or suggest the feature recited in present claim 36 in the context of the outer base layer and thereby fails to render obvious the subject matter thereof".

This is not deemed persuasive. Haffner teaches an elastic laminate for use in adhesive bandages (col. 6, line 61). Thus, Murayama, Smith, Feret and Haffner are all teachings adhesive

bandages. Again, Murayama clearly teaches the structure of the elastic laminate presently claimed in independent claim 30. Haffner was merely cited to teach a polymer film of an elastic laminate having an area weight of from 15 to 150 g/m$^2$ and from 35 to 60 g/m$^2$ (see col. 10, line 59-64) and including at least 65% of a thermoplastic elastomer (see col. 9, lines 5-7) for the purpose of providing a breathable barrier laminate which exhibits good breathability and barrier properties (see col. 2, lines 42-45). Even if the polymer film being referred to in Haffner is the intermediate film and not the outer base layer, the intermediate polymer film is the film adjacent to the textile layer, which is the same as that of the polymer film and textile sheet laminate in Murayama, and is still a polymer film making up the elastic laminate disclosed in Haffner. Thus, it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have modified the polymer film of the elastic laminate in Murayama et al. to have an area weight of from 15 to 150 g/m$^2$ and from 35 to 60 g/m$^2$ and include at least 65% of a thermoplastic elastomer as suggested by Haffner et al. in order to provide a breathable barrier laminate exhibiting good breathability and barrier properties. One of ordinary skill in the art would clearly have been able to combine the teachings of Murayama and Haffner, since both teach elastic laminates for use in adhesive bandages.

Regarding claim 39, Applicants argue that even if one were to assume, *arguendo*, that there is motivation to combine Murayama with Smith and Feret, it would not be desirable.

This is not deemed persuasive. As pointed out above, Murayama, Smith and Feret are all teaching adhesive bandages. Thus, one of ordinary skill in the art would clearly be able to combine the teachings of Murayama, Smith and Feret as shown above to arrive at the claimed invention, if so desired.

Regarding claims 40, 41, 43 and 44, Applicants argue "in the absence of a motivation to combine Murayama with Smith there is no apparent reason why one of ordinary skill in the art would want to macroemboss the nonwoven fabric of the backing sheet of Murayama. Morman does not cure this deficiency. In fact, Morman does not appear to mention embossing of a material which is to be laminated to an (embossed) polymer film at all".

This is not deemed persuasive. Again, Murayama clearly teaches the structure of the elastic laminate presently claimed in independent claim 30. Smith was merely cited to teach a polymer film/textile laminate wherein the textile sheet and the polymer film are macroembossed. It is to be pointed out that both Murayama and Smith teach polymer film/textile sheet laminates for use in bandages. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the polymer film/textile sheet of the bandage in Murayama to have both the polymer film and textile sheet macroembossed as suggested by Smith in order to provide a stronger bond between the polymer film and the textile sheet and provide a continuous pattern of embossing on the laminate. One of ordinary skill in the art would clearly have been able to combine the teachings of Murayama and Smith, since both teach polymer film/textile sheet laminates for use in bandages. It is to be pointed out that Morman was merely cited to teach a polymer film of an elastic laminate comprising a thermoplastic polyolefin having a melt index of from 1 to 20 g/(10 min) and a density of from 860 to 900 $kg/m^3$ and includes a copolymer of ethylene and a $C_4$-$C_{10}$ $\alpha$-olefin (see col. 5, lines 43-60) for the purpose of providing the laminate with a soft outer cover and good elastic and breathability properties (see col. 3, lines 19-20). Morman and Murayama are also analogous, since both teach an elastic laminate which can be used for bandages. Thus, it would have been obvious to one of ordinary

skill in the art at the time the applicant's invention was made to have modified the polyolefin film of the laminate in Murayama et al. to have a melt index of from 1 to 20 g/(10 min) and a density of from 860 to 900 kg/m$^3$ and to include a copolymer of ethylene and a $C_4$-$C_{10}$ $\alpha$-olefin as suggested by Morman et al. in order to provide a laminate with a soft outer cover and having good elastic and breathability properties.

Regarding claim 42, Applicants argue "Haffner refers to the breathable intermediate layer 16 of the breathable barrier laminate 10, i.e., not to the outer base layer 12 thereof....in this regard, it is pointed out that Haffner does not appear to teach or suggest the feature recited in present claim 42 in the context of the outer base layer and thereby fails to render obvious the subject matter thereof".

This is not deemed persuasive. Again, Haffner teaches an elastic laminate for use in adhesive bandages (col. 6, line 61). Thus, Murayama, Smith, Feret and Haffner are all teachings adhesive bandages. Again, Murayama clearly teaches the structure of the elastic laminate presently claimed. Haffner was merely cited to teach a polymer film of an elastic laminate having an area weight of from 15 to 150 g/m$^2$ and from 35 to 60 g/m$^2$ (see col. 10, line 59-64) and including at least 65% of a thermoplastic elastomer (see col. 9, lines 5-7) for the purpose of providing a breathable barrier laminate which exhibits good breathability and barrier properties (see col. 2, lines 42-45). Even if the polymer film being referred to in Haffner is the intermediate film and not the outer base layer, the intermediate polymer film is the film adjacent to the textile layer, which is the same as that of the polymer film and textile sheet laminate in Murayama, and is still a polymer film making up the elastic laminate disclosed in Haffner. Thus, it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to

have modified the polymer film of the elastic laminate in Murayama et al. to have an area weight of from 15 to 150 g/m$^2$ and from 35 to 60 g/m$^2$ and include at least 65% of a thermoplastic elastomer as suggested by Haffner et al. in order to provide a breathable barrier laminate exhibiting good breathability and barrier properties. One of ordinary skill in the art would clearly have been able to combine the teachings of Murayama and Haffner, since both teach elastic laminates for use in adhesive bandages.

Regarding claim 47, Applicants argue that even if one were to assume, *arguendo*, that there is motivation to combine Murayama with Smith and Feret, it would not be desirable.

This is not deemed persuasive. As pointed out above, Murayama, Smith and Feret are all teaching adhesive bandages. Thus, one of ordinary skill in the art would clearly be able to combine the teachings of Murayama, Smith and Feret as shown above to arrive at the claimed invention, if so desired.

Regarding claim 49, Applicants argue "the permanent deformation after a 100% elongation of the laminate of Example VIII of Wu is significantly higher than 10%, i.e. 26% in machine direction and 30% in cross direction. Moreover, none of the other laminates described in the Examples of Wu shows a permanent deformation after 100% elongation which is not higher than 10%, either."

However, it is to be pointed out that Wu also teaches an elastic laminate for use in bandages. Thus, Wu and Murayama are analogous arts, since both teach elastic laminates for bandages. One of ordinary skill in the art would have recognized that providing a permanent deformation after 100% elongation of less than 10% was a workable range from the teachings of Wu and Muryama, since both teach elastic laminates for use in bandages, which is the same as

that of the elastic laminate being presently claimed by Applicants, and it would have been recognized as predictable and within reach of such an ordinarily skilled artisan to have an elastic laminate with a permanent deformation after 100% elongation of less than 10%. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have the elastic laminate in Murayama et al. showing no more than 10% deformation in either the transverse direction or longitudinal direction after elongation by 100% of its original length, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art in absence of showing unexpected results. *MPEP 2144.05 (II).*

Regarding claims 50, 51, 52 and 54, there is no motivation for one of ordinary skill in the art to combine Murayama with Smith and/or Feret whereas Morman fails to teach or suggest that a web material that is to be laminated to a (microembossed) polymer film should be (macro)embossed".

This is not deemed persuasive. Again, Murayama clearly teaches the structure of the elastic laminate presently claimed in independent claim 30. Smith was merely cited to teach a polymer film/textile laminate wherein the textile sheet and the polymer film are macroembossed. It is to be pointed out that both Murayama and Smith teach polymer film/textile sheet laminates for use in bandages. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the polymer film/textile sheet of the bandage in Murayama to have both the polymer film and textile sheet macroembossed as suggested by Smith in order to provide a stronger bond between the polymer film and the textile sheet and provide a continuous pattern of embossing on the laminate. One of ordinary skill in the art would clearly have been

able to combine the teachings of Murayama and Smith, since both teach polymer film/textile sheet laminates for use in bandages. Again, Feret was merely cited to teach a dressing (bandage) wherein the polymer film is microembossed to give the visual appearance of a plain woven taffeta fabric (col. 3, lines 16-17). It is to be pointed out that both Murayama and Feret teach adhesive bandages. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the polymer film of the bandage in Murayama to be microembossed as suggested by Feret in order to give the bandage a visual appearance of a plain woven taffeta fabric. One of ordinary skill in the art would clearly have been able to combine the teachings of Murayama and Feret, since both teach adhesive bandages. Again, it is to be pointed out that Morman was merely cited to teach a polymer film of an elastic laminate comprising a thermoplastic polyolefin having a melt index of from 1 to 20 g/(10 min) and a density of from 860 to 900 kg/m$^3$ and includes a copolymer of ethylene and a $C_4$-$C_{10}$ α-olefin (see col. 5, lines 43-60) for the purpose of providing the laminate with a soft outer cover and good elastic and breathability properties (see col. 3, lines 19-20). Morman and Murayama are also analogous, since both teach an elastic laminate which can be used for bandages. Thus, it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have modified the polyolefin film of the laminate in Murayama et al. to have a melt index of from 1 to 20 g/(10 min) and a density of from 860 to 900 kg/m$^3$ and to include a copolymer of ethylene and a $C_4$-$C_{10}$ α-olefin as suggested by Morman et al. in order to provide a laminate with a soft outer cover and having good elastic and breathability properties.

Regarding claim 53, Applicants argue "Haffner refers to the breathable intermediate layer 16 of the breathable barrier laminate 10, i.e., not to the outer base layer 12 thereof....in this

regard, it is pointed out that Haffner does not appear to teach or suggest the feature recited in present claim 53 in the context of the outer base layer and thereby fails to render obvious the subject matter thereof".

This is not deemed persuasive. Again, Haffner teaches an elastic laminate for use in adhesive bandages (col. 6, line 61). Thus, Murayama, Smith, Feret and Haffner are all teachings adhesive bandages. Again, Murayama clearly teaches the structure of the elastic laminate presently claimed. Haffner was merely cited to teach a polymer film of an elastic laminate having an area weight of from 15 to 150 $g/m^2$ and from 35 to 60 $g/m^2$ (see col. 10, line 59-64) and including at least 65% of a thermoplastic elastomer (see col. 9, lines 5-7) for the purpose of providing a breathable barrier laminate which exhibits good breathability and barrier properties (see col. 2, lines 42-45). Even if the polymer film being referred to in Haffner is the intermediate film and not the outer base layer, the intermediate polymer film is the film adjacent to the textile layer, which is the same as that of the polymer film and textile sheet laminate in Murayama, and is still a polymer film making up the elastic laminate disclosed in Haffner. Thus, it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have modified the polymer film of the elastic laminate in Murayama et al. to have an area weight of from 15 to 150 $g/m^2$ and from 35 to 60 $g/m^2$ and include at least 65% of a thermoplastic elastomer as suggested by Haffner et al. in order to provide a breathable barrier laminate exhibiting good breathability and barrier properties. One of ordinary skill in the art would clearly have been able to combine the teachings of Murayama and Haffner, since both teach elastic laminates for use in adhesive bandages.

Regarding claim 54, Applicants argue that even if one were to assume, *arguendo*, that there is motivation to combine Murayama with Smith and Feret, it would not be desirable.

This is not deemed persuasive. As pointed out above, Murayama, Smith and Feret are all teaching adhesive bandages. Thus, one of ordinary skill in the art would clearly be able to combine the teachings of Murayama, Smith and Feret as shown above to arrive at the claimed invention, if so desired.

In view of the foregoing, there is motivation to combine the teachings of the cited references and therefore the rejections of claims 30-36 and 38-55 under 35 U.S.C. 103(a) stand.

***Conclusion***

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Catherine Simone whose telephone number is (571) 272-1501. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Keith Hendricks can be reached on (571) 272-1401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Catherine A. Simone/
Catherine A. Simone
January 7, 2008

KEITH D. HENDRICKS
SUPERVISORY PATENT EXAMINER